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8 Attorneys for Plaintiff  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
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1 UNITED STATES OF AMERICA, )  
 2 Plaintiff, )  
 3 v. )  
 4 MARIO PONCE, )  
 5 Defendant. )  
 6 )  
 7 )

No. CR 05-00288 RMW

~~XXXXXXX~~ [PROPOSED] ORDER EXCLUDING TIME  
 FROM THE SPEEDY TRIAL ACT  
 CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)  
 & 3161(h)(8)(B)(iv))

8 On May 16, 2005, the parties appeared before the Court for an initial appearance. At the  
 9 hearing, Assistant United States Attorney Susan Knight explained that the government recently  
 10 provided discovery to Assistant Federal Public Defender Lara Vinnard, and that she needed time  
 11 to review it. Therefore, the parties jointly requested that the case be continued until June 13,  
 12 2005 in order for AFPD Vinnard to review the discovery and discuss the government's case with  
 13 the defendant. In addition, the parties stipulated and agreed that an exclusion under Speedy Trial  
 14 Act from May 16, 2005 until June 13, 2005 was appropriate based on the defendant's need for  
 15 effective preparation of counsel.

16 SO STIPULATED.

KEVIN V. RYAN  
 United States Attorney

17 DATED: \_\_\_\_\_

/s/

18 SUSAN KNIGHT  
 Assistant United States Attorney

19 DATED: \_\_\_\_\_

/s/

20 LARA VINNARD  
 Assistant Federal Public Defender

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 23 Accordingly, the Court HEREBY ORDERS that a status hearing be scheduled for June  
 24 13, 2005 at 9:00 a.m.

25 The Court FURTHER ORDERS that the time between May 16, 2005 and June 20, 2005  
 26 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the requested  
 27 continuance would deny the defendant effective preparation of counsel. The Court finds that the  
 28 ends of justice served by granting the requested continuance outweigh the best interest of the

~~XXXXXXX~~ [PROPOSED] ORDER TO EXCLUDE TIME  
 CR 05-00288 RMW

1 public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The  
2 Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§  
3 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

4 IT IS SO ORDERED.

5  
6 6/1/05

7 Dated

/S/ RONALD M. WHYTE

RONALD M. WHYTE  
United States District Judge